

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re: New York City Policing During Summer 2020
Demonstrations.

**DECLARATION OF
DEFENSE COUNSEL IN
SUPPORT OF
DEFENDANTS' MOTION
TO DISMISS THE
AMENDED COMPLAINTS**

This filing relates to: *all cases*

No. 20 Civ. 8924

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Dara Weiss, Elissa Jacobs, and Brachah Goykadosh, attorneys duly admitted to practice in the State of New York, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following is true and correct:

We are Senior Counsels in the Office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, and attorneys for defendants. As such, we are familiar with the facts and circumstances of this action. We make this declaration to place the relevant documents on the record in support of defendants' motion pursuant to Rule 12(b)(1) and Rule 12(b)(6) of the Federal Rules of Civil Procedure.

1. Annexed hereto as Exhibit A is a copy of the New York City Police Department Mass Demonstration Response Tracker. This document is dated March 17, 2021 and is publically available. This document is referred to as "Demonstration Response Tracker" in defendants' moving papers.

2. Annexed hereto as Exhibit B is the NYC Police Reform and Reinvention Collaborative Draft Plan dated March 5, 2021. This document is publically available. This document is referred to as "Draft 1" in defendants' moving papers.

3. Annexed hereto as Exhibit C is the NYC Police Reform and Reinvention Collaborative Draft Plan: Part 2 dated March 12, 2021. This document is publically available. This document is referred to as “Draft 2” in defendants’ moving papers.

4. Annexed hereto as Exhibit D is a report from the New York City Department of Investigation entitled “Investigation into NYPD Response to George Floyd Protests.” The report was commissioned by Mayor Bill de Blasio. The report is referred to as “DOI Report” in defendants’ moving papers.

5. Annexed hereto as Exhibit E is a report from Corporation Counsel James E. Johnson, entitled “Corporation Counsel Report Pursuant to Executive Order 58 (June 20, 2020) Directing an Analysis of Factors Impacting the George Floyd Protests in New York City.” The report was commissioned by Mayor Bill de Blasio. The report is referred to as “Corporation Counsel Report” in defendants’ moving papers.

6. Annexed hereto as Exhibit F is a copy of Emergency Executive Order No. 117, which was issued by Mayor Bill de Blasio on June 1, 2020. The order is referred to as “Exec. Order No. 117” in defendants’ moving papers.

7. Annexed hereto as Exhibit G is a copy of Executive Order No. 203, which was issued by Governor Andrew Cuomo on June 12, 2020. The order is referred to as “Exec. Order No. 203” in defendants’ moving papers.

8. Annexed hereto as Exhibit H is a copy of Executive Order No. 58, which was issued by Mayor Bill de Blasio on June 20, 2020. The order is referred to as “Exec. Order No. 58” in defendants’ moving papers.

Dated: New York, New York
March 26, 2021

GEORGIA M. PESTANA

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Monahahn*

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By:



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Senior Counsel
Special Federal Litigation Division

No. 20 Civ. 8163 (CM)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: New York City Policing During Summer 2020
Demonstrations

**DECLARATION OF DEFENSE COUNSEL IN
SUPPORT OF DEFENDANTS' MOTION TO DISMISS
THE AMENDED COMPLAINTS**

GEORGIA M. PESTANA

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Of Counsel: Brachah Goykadosh, Elissa Jacobs, Dara Weiss

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Due and timely service is hereby admitted.

New York, New York, 2021

.....*Esq.*

Attorney for